

**CHARTER SCHOOL COMMISSION MEETING**  
**APPROVED Meeting Minutes**  
**April 13-14, 2005**  
**Boise, ID**

A regular meeting of the Idaho Charter School Commission was held on April 13, 2005 in the Professional-Technical Education Conference Room in the Len B. Jordan Building in Boise, Idaho. Chairman Hammond presided. The following members were present:

Marianne Donnelly  
Bill Goesling

Jim Hammond  
Kirk Miller

Ann Souza  
Paul Powell

Commissioner Van Wart was absent.

The open meeting convened at 5 p.m.

**EXECUTIVE SESSION**

**M/S (Goesling/Souza): To enter into executive session pursuant to Idaho Code Section 67-2345 (1), (a), (b), (c), (d), and (f).** *Motion carried unanimously.*

In executive session, the Commission considered records that are exempt from public inspection; and considered and advised its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

**M/S (/): To adjourn until 8 a.m., Thursday morning.** *Motion carried unanimously.*

The open meeting reconvened at 8 a.m., Thursday, April 14, 2005 in the Jordan AB Ballroom at Boise State University in Boise, Idaho. Chairman Hammond presided. The following members were present:

Marianne Donnelly  
Bill Goesling

Jim Hammond  
Kirk Miller

Ann Souza  
Esther Van Wart

Commissioner Powell joined the meeting late.

**1. Commission Work****a) Agenda Approval**

Commissioner Souza suggested that INSPIRE Virtual Charter School be moved to the top of the agenda.

**M/S (Powell/Miller): To approve Agenda as amended. *The motion carried unanimously.***

**b) Rolling Calendar**

**M/S (Goesling/Souza): To approve Thursday, July 14, and Thursday, September 1 as the dates and Boise State University as the location for upcoming regularly scheduled Commission meetings. *The motion carried unanimously.***

**c) Minutes Approval**

**M/S (Powell/Souza): To approve the minutes from March 3, 2005 as submitted. *The motion carried unanimously.***

**d) Commission Work Session**

Jeff Shinn, OSBE staff, gave a brief presentation to the Commissioners concerning travel and submission of travel reimbursement forms. He also covered what travel expenses are covered, and what constitutes appropriate documentation of those expenditures.

**2. INSPIRE Virtual Charter School**

INSPIRE came before the Commission at the March 3, 2005 meeting. Commissioners voted to hold any decision on INSPIRE, in order to allow petitioners more time to correct deficiencies identified in the included State Department of Education Sufficiency Review and the Charter Commission Staff Memo.

Commissioner Goesling asked INSPIRE petitioners what processes they have in place to adequately serve students with special education needs. Carrie Ross, representative from INSPIRE, explained that the personal learning coach model fosters one-on-one learning, which helps those students learn.

Commissioner Powell asked INSPIRE petitioners about their revised budget and where the most flexibility is found in cases of revenue shortfalls or other situations. Ms. Ross answered that INSPIRE petitioners consulted with other entities running virtual schools and came to the conclusion that the contingency

allowed in their budget was sufficient. She further explained that because INSPIRE was a virtual school, there are benefits such as no unexpected construction or building expenses. She also mentioned that the “research” area of the budget is the largest area of flexibility in case of unforeseen budget situations.

Commissioner Miller asked INSPIRE petitioners what would happen to their budget if the school did not reach the expected enrollment and if there was a number they had reached which would be the minimum number of students needed in order to break even. Ms. Ross answered that there is a minimum of fifty students needed for the budget to break even and that they have already had that number of students express interest in enrolling.

Commissioner Van Wart asked if petitioners had a backup plan in case materials are sent late. Ms. Ross answered that Connections Academy already has curriculum in place in their own warehouse, so there is no waiting time in ordering from a publishing company. Also, INSPIRE has allocated money in the budget to purchase additional curriculum for teachers in the learning center and these teachers are working directly with families.

Commissioner Van Wart asked what plans petitioners had in place in case of technological problems. Ms. Ross explained that the computer isn't the mainstay of the Connections Academy program. She also added that lesson plans are sent to families in paper form as well.

Commissioner Souza asked INSPIRE petitioners how they have planned to handle ISAT testing for their students. Carrie Ross answered they have allocated money in their budget for transportation for students to regional testing centers.

Commissioner Souza asked INSPIRE petitioners if their petition included a policy to help parents know the process to follow if they have a problem or concern with a teacher. Carrie Ross said that INSPIRE already has a toll-free number set up to provide free access to parents and families across the state.

Chairman Hammond encouraged INSPIRE to include an explicit step-by-step process through which parents can take their concerns and questions.

Commissioner Souza asked INSPIRE petitioners how they intend to share the research they accumulate in their school with other schools and teachers around the state. Kerry Rice from Boise State University answered that the most beneficial aspect of this idea is the ability to conduct research on virtual learning, which is a method that is fairly new.

Commissioner Donnelly asked petitioners from INSPIRE about the availability of their program to low-income and minority students. Carrie Ross, INSPIRE

petitioner, explained that Connections Academy's experience in other states has shown that the program attracts diverse students. She said that the program in states Colorado includes 40% free and reduced lunch students. Ms. Rice also showed that the students enrolled in Connections Academy in other states closely mirrors the population makeup of the state they are located in.

Commissioner Powell asked petitioners if they saw any impediments to being able to open in the fall. Kerry Rice, from Boise State University, answered that she didn't see any problems in opening up for Fall 2005. She mentioned that there is a large teaching base INSPIRE can utilize in Idaho and the facilities at Boise State are ready to go.

**M/S (Powell/Souza): A motion to approve the charter for INSPIRE Public Charter School for grades K-12 to begin operations in the 2005-2006 school year if such an opening is available from the State Board of Education. If all six openings are filled, INSPIRE Public Charter School may begin operations in the 2006-2007 school year. Motion passed 5-0, with Commissioner Goesling abstaining.**

### **3. Compass Public Charter School – Update**

The Public Charter School Commission authorized COMPASS Public Charter School on October 28, 2004 to begin operations in the 2005-2006 school year. Representatives from Compass came before the Commission to give an update on the schools progress and also for approval of amendments to their charter.

Chris Jensen, Susan Luke, and Bridget Barrus of Compass' Board of Directors addressed the Commission.

Chris Jensen updated the Commission regarding Compass' building location, hiring's and lottery. Ms. Jensen said that Compass' building would be located in the Bainbridge Subdivision in Meridian. She also spoke about their new administrator and the hiring process used to find qualified applicants.

Finally, Ms. Luke updated the Commission on their lottery, which is scheduled for May 6<sup>th</sup>, with Rep. Shirley McKague acting as their third party. She also spoke about COMPASS' advertising plan for their lottery, which included radio advertising in English and Spanish, fliers at local stores, television announcements, and applications available at the local library. They also mailed postcards to families in the school's primary attendance area. Ms. Luke also mentioned that they are updating their website, to include information in Spanish.

Commissioner Van Wart asked about Compass' newly hired administrator and her certifications. Ms. Luke answered that she is certified as a middle school counselor and is working on her administrator certification. She noted that Compass has hired a certified administrator to serve as a trainer, which has been

included as an item in their budget. Ms. Luke mentioned that their administrator will be certified by the end of the first year.

Commissioner Donnelly commented on Compass' advertising plan and the diverse ways of notifying the public of their school.

**M/S (Donnelly/Powell): A motion to approve the amendments to the charter for COMPASS Public Charter School as presented.** *Motion passed unanimously.*

#### **4. Falcon Ridge Public Charter School – Update**

The Public Charter School Commission authorized Falcon Ridge Public Charter School on October 28, 2004 to begin operations in the 2005-2006 school year. Representatives from Falcon Ridge came before the Commission to give an update on the schools progress. Members of Falcon Ridge's governing board addressed the Commission.

Heather Dyer, member of the board, updated the Commission on upcoming dates of importance for their school. Ms. Dyer spoke about their upcoming lottery, scheduled for May 2; a parent orientation meeting, scheduled for May 21, ribbon cutting with the Governor, scheduled for August 6; and the first day of school is scheduled on August 15.

#### **5. Taylor's Crossing Public Charter School**

The Public Charter School Commission reviewed Taylor's Crossing Public Charter School at the February 2, 2005 meeting. After discussion Taylor's Crossing Public Charter School agreed to continue working with their local school district.

The Bonneville School District decided on April 6, 2005 to deny the petition from Taylor's Crossing Public Charter School.

Representatives from Taylor's Crossing addressing the Commission included: Marc Bohman, Shay Wallace, Linda Holt, and Camy Risch. Petitioners took Commissioners through the steps taken in working with the Bonneville School District.

Commissioner Powell noted that one of the key reasons for denial were test scores associated with Liberty Charter School in Nampa. Commissioner Powell mentioned that the scores Bonneville School District cited in their decision were not consistent with his understanding of the school's test results and asked for clarification regarding that discrepancy. Shay Wallace, a petitioner from Taylor's Crossing, explained that the scores used by the district were growth scores, and did not include Liberty's proficiency scores.

Commissioner Van Wart asked petitioners for clarification regarding Bonneville's denial, citing the district's expressed disinterest in having a competing Harbor school. Commissioner Van Wart asked petitioners if the District was interested in working jointly with petitioners to open a district-sponsored Harbor school. Marc Bohman clarified that one of the superintendents had expressed interest in working with petitioners to look at creating a Harbor school.

Commissioner Van Wart asked petitioners why the Bonneville School District would deny the petition based on concerns with the Harbor Method and at the same time express interest in opening a district-run Harbor school.

Chairman Hammond invited Mr. Gary Jones from Bonneville School District to respond to Commissioner Van Wart's concern.

Mr. Jones explained that the district saw a great deal of variety in how the Harbor Method is implemented at different schools. Mr. Jones mentioned that Bonneville School District representatives were impressed by some Harbor schools and not with others.

Commissioner Goesling asked Mr. Jones what caused the dead-end in working with the petitioners. Mr. Jones answered that some are frustrated in the required timeline and not having enough time to research the issue adequately.

Commissioner Powell asked Legal Counsel if the denial from Bonneville School District met the legal requirements. Susan Campbell, Commission Legal Counsel, answered that the State Board of Education has adopted rules on what needs to be in a denial. She continued and noted that the Commission is not acting on the denial issued by Bonneville School District. Ms. Campbell concluded that the Commission was acting on the petition that was initially submitted to them, which was legally different than the petition denied by Bonneville School District.

Petitioners from Taylor's Crossing concluded their presentation to the Commission and Chairman Hammond opened the floor for discussion.

Commissioner Van Wart asked if petitioners addressed their fiscal impact to the district, and if that was a concern cited by the district. Ms. Holt, Taylor's Crossing petitioner, said that the reason the district wanted to open it themselves were mainly for financial reasons.

Commissioner Powell stated his thanks for petitioners and district representatives being willing to go back to the table to work together. Commissioner Powell noted that the Commission felt this was an important option to further pursue and appreciated their effort.

**M/S (Goesling/):** A motion to approve the charter for Taylor's Crossing Public Charter School for grades K-8. Operations to begin in the 2006-2007 school year, conditional upon meeting deficiencies identified in initial petition. *Motion failed for lack of a second.*

Commissioner Powell stated that Taylor's Crossing petitioners have shown due diligence in working with the district and isn't convinced that there is an imminent solution to be found with the district.

**M/S (Powell/Van Wart):** A motion to approve the charter for Taylor's Crossing Public Charter School for grades K-8, with amendments to satisfy sufficiency review and staff memo concerns, as determined by staff. Operations to begin in the 2005-2006 school year if such an opening is available from the State Board of Education. If all six openings are filled, operations to begin in the 2006-2007 school year. *Motion passed 3-2, with Commissioners Souza and Donnelly voting no and Commissioner Miller absent.*

## **6. Renaissance School of the Arts**

The board of directors of the Pocatello Renaissance Art's Guild for the proposed Renaissance School of the Arts Charter School submitted a petition for authorization to their local school district's board of trustees. The Pocatello-Chubbuck School District (No. 25) referred the petition to the Commission for possible authorization.

Petitioners came before the Commission on February 2, 2005. Commissioners voted to hold a decision on Renaissance School of the Arts until the March meeting. Petitioners requested additional time to address deficiencies noted by the State Department of Education and Commission Staff, and requested to come before the Commission at the April meeting.

Representatives from Renaissance School of the Arts included Betty Jo Willey and Kathy Rankin, members of the governing board; Tim Norton, arts/curriculum specialist and David McGuire, legal counsel.

Chairman Hammond began by asking staff for an update as to the progress made with petitioners to resolve noted deficiencies. Karen Echeverria, Commission Staff, explained that one outstanding issue with the petition dealt with their Articles of Incorporation, which stated that upon approval the corporation would dissolve which essentially dissolves the school as well. Ms. Echeverria noted that this situation was supposed to have been corrected by the petitioners and their legal counsel, but was unsure as to the resolution of the matter.

Chairman Hammond asked petitioners for clarification. David McGuire, petitioner's legal counsel confirmed that the Articles had been amended to correct that problem.

Commissioner Donnelly asked petitioners for clarification on the anticipated enrollment. She noted that the original petition stated 600 students total and the revised budget indicates an enrollment cap of 200 students. Ms. Rankin noted that they still anticipate having 600 students at capacity; the budget is built on the premise that the school would not reach 600 students immediately.

Commissioner Powell asked if the text to the amendment to Article 8 of the petitioner's Articles of Incorporation was replacing the whole of Article 8 and asked for a chronology of events. Petitioner's legal counsel explained that Article 8 talked about distribution of assets upon dissolution and the Articles currently on file with the Secretary of State's office would be need to be changed.

Chairman Hammond noted that the Commissioners could keep that concern in mind to use as a caveat in any motions the Commission wishes to consider.

Commissioner Souza asked how many charter schools are located in Pocatello. Petitioners answered that only one school exists, and that school is an elementary school. Betty Jo Willey, member of the board, further clarified one of their primary interests was to provide a charter school for secondary students in the area.

Commissioner Van Wart told petitioners she was concerned about their planned opening date and their ability to administer the ISAT if the school doesn't open until late September. Betty Jo Willey, member of the board, answered that they would need assistance from the district or amend their planned opening date.

Commissioner Powell asked for more information about members of the governing board for Renaissance. Ms. Willey listed Kathy Rankin, Barbara Steele, Lewis Chandler, Tim Norton, Scott Thompson, Bob Willey, and herself.

Commissioner Souza stated her concerns about the petitioners plan to handle the ISAT.

Commissioner Goesling commented that the petitioner's proposed curriculum was unique and exciting, but his concerns about their challenges with respect to facilities and the timeframe.

**M/S (Goesling/Souza): A motion to deny the charter for Renaissance Public Charter School based on these comments and other item(s) in the staff memo.** *Motion carried unanimously, with Commissioner Donnelly and Commissioner Miller abstaining.*



**7. Academy at Roosevelt Center**

The board of directors of the Academy at Roosevelt Center (ARC) submitted a petition for authorization to their local school district's board of trustees. The Pocatello-Chubbuck School District (No. 25) referred the petition to the Commission for possible authorization.

Petitioners came before the Commission at the March meeting, at which time Commissioners granted ARC petitioners an extension of time to work with staff in correcting deficiencies.

Representatives from the Academy at Roosevelt Center included James Brainard, Annie Dixon, Paul Hathaway, Gretchen Tower, Kathy McMurtrey, Rod Eggleston and Steve Brown, all members of the governing board.

Karen Echeverria, Commission staff, updated Commissioners to the progress made with petitioners from ARC to their petition based on concerns raised in the last Commission meeting and in the staff memo and sufficiency review.

Commissioner Miller asked petitioners to walk the Commission through their timeline to open. Mr. Brainard of the governing board noted that they have facilities in place, have received many applications for teachers including special education teachers.

Commissioner Goesling asked the petitioners from the Academy at Roosevelt Center about a member of their governing board's previous history and how those actions reflected on the petitioners and the school itself.

Commissioner Miller questioned petitioners about how they see the Harbor Method and K12, Inc.'s curriculum blending together. He also asked about the expense for these programs and if that was included in the petitioners submitted budget. Annie Dixon, member of the governing board, clarified that the petitioners plan to purchase only three sets of curricula from K12, Inc., which included history, art, and science. Ms. Dixon noted that the school will use the Harbor Method and direct instruction approach for math and language arts. She explained that K12, Inc. will be supplemental to broaden what is available for students and teachers with respect to interactive technology, etc.

Commissioner Van Wart mentioned that the petition still needed a weapons policy and the new transportation plan needed work to comply with the laws of FERPA. Petitioners acknowledged these deficiencies and noted that new policies were being crafted and would be put into place.

Commissioner Goesling commented that in order for the Commission to be comfortable with what is happening at a particular school, they need to be comfortable with their board. He noted his concern in developing confidence in a board which has a member that has pleaded guilty to a charge in a public

situation. Commissioner Goesling asked Mr. Hathaway for information regarding the situation and wanted to know how much Mr. Hathaway felt comfortable disclosing to the Commission regarding the situation. He also asked for the board's opinion about Mr. Hathaway and that situation.

Mr. Hathaway explained the situation and why he made the decision to plead guilty to a reduced charge. He also stated that he felt strongly about ARC's petition and their mission, so much so that he would be willing to resign from the school's Board of Trustees.

Commissioner Souza asked petitioners about why their plan was innovative, citing that the methodology of "direct instruction" is not new. James Brainard, member of the governing board, noted that the innovation came in combining the two systems – utilizing the Harbor Method while applying that with the media-rich curriculum available to them through the K12, Inc. system. Mr. Brainard noted that this compromise was reached with the belief that the combining of the two programs will benefit the child individually more than one program or the other on their own.

Commissioner Powell asked Commission Legal Counsel for clarification on whether the requirement of "innovative" is something the Commission needed to weigh when deciding this petition. Kent Nelson, legal counsel, answered that although there is an ongoing discussion of this particular issue there is not, at this time, an "innovative" requirement.

Commissioner Goesling commented that he appreciated Mr. Hathaway's honesty and the confidence that the board of trustees has placed in his abilities.

**M/S (Goesling/Powell): Motion to approve the amended petition for the Academy at Roosevelt to begin operations for 2005-2006 for grades K-8, if such an opening is available from the State Board of Education. If all six openings are filled, the Public Charter School may begin operations in the 2006-2007 school year. Motion passed 4-1, with Commissioner Souza voting no and Commissioner Miller abstaining.**

Commissioner Miller noted that he appreciated Mr. Brainard's comments about providing an environment for teachers to "go and do what they do best" and that the Commission's Oversight Subcommittee will be looking for that environment at schools they authorize.

Chairman Hammond adjourned the meeting at 2:00 p.m.